

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 01-381)

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PATENT

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IN THE APPLICATION OF:

Schmitz, et al.

Serial No. 09/896,061

Filed: June 29, 2001

Title Automated Execution System  
Having Participation

BOX DD

Commissioner for Patents  
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:

- a. - Information Disclosure Statement;
- b. Form PTO-1449;
- c. Copy of IDS Citations 09/896,061 (3 references);
- d. Return Receipt Postcard.

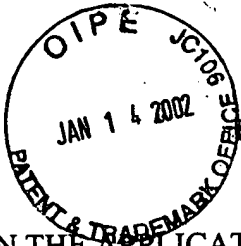
2. With respect to additional fees:

☒ No additional fee is required.

3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490.  
A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box DD, Washington, D.C. 20231 on this 22<sup>nd</sup> day of October, 2001.

By: Mark W. Triplett  
Mark W. Triplett  
Reg. No. 49,002



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By:

Mark W. Triplett

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Washington, D.C. 20231-9999

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

Portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the

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references. This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103, nor is this submission to be construed as a representation that a search has been made.

### **CITED REFERENCES**

#### **Foreign Patent Documents**

<u>Document Number</u>	<u>Date</u>	<u>Country</u>	<u>Class</u>	<u>Translation Yes/No</u>
WO 00/57307 A1	09/28/2000	PCT	G06F 17/30	

#### **Other Documents**

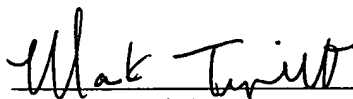
1. The National Association of Securities Dealers, Inc., "NASD Notice to Members 00-65," September 2000, (5 pages).
2. Special Study: Payment for Order Flow and Internalization in the Options Markets, [www.sec.gov/news/studies/ordpay.htm](http://www.sec.gov/news/studies/ordpay.htm), printed on January 22, 2001, (40 pages).

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Date: October 22, 2001

By:



Mark W. Triplett

Reg. No. 49,002

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Form PTO-1449 (modified)

**List of Patents and Publications of Applicant's**  
**INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)



Atty. Docket No.  
01-381

Serial No.  
09/896,061

Applicant

Schmitz, et al.

Filing Date:  
June 29, 2001

Group:

U.S. Patent Documents  
See Page 1

Foreign Patent Documents  
See Page 1

Other Art  
See Page 1

**U.S. Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1						

**Foreign Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 00/57307A1	09/28/2000	PCT	G06F 17	30	

**Other Art (Including Author, Title, Date Pertinent Pages, Etc.)**

Exam. Init.	Ref. Des.	Citation
	C1	The National Association of Securities Dealers, Inc., "NASD Notice to Members 00-65," September 2000, (5 pages).
	C2	Special Study: Payment for Order Flow and Internalization in the Options Markets, <a href="http://www.sec.gov/news/studies/ordpay.htm">www.sec.gov/news/studies/ordpay.htm</a> , printed on October 19, 2001, (40 pages).

**EXAMINER:****DATE CONSIDERED:**

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)